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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/909,502

07/19/2001

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2961.1000-001

4161

59242 7590 09/10/2007  
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EXAMINER

CASLER, TRACI

ART UNIT

PAPER NUMBER

3629

MAIL DATE

DELIVERY MODE

09/10/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/909,502

Applicant(s)

JOHNSON, RODNEY D.

Examiner

Traci L. Casler

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-73 and 75-123 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-73 and 75-123 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is in response to papers filed on June 19, 2007.

Claims 10 and 74 have been canceled.

Claims 1-2, 7-9, 13-15, 18, 20, 27, 46, 48, 50-56, 56, 65-66, 71-71, 77-78, 81-81, 84-85, 100-106 and 113-121 have been amended.

Claims 1-9, 11-73, and 75-123 are pending.

Claims 1-9, 11-73, and 75-123 are rejected.

### ***Specification***

1. The amendment filed June 19, 2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: a file having an image of a browser rendered display generated by the web browser as instructed by the source code file. The applicants disclosure does not support this limitation of claims 27, 116 and 118. The applicants disclosure merely teaches a "COPY" of the source code and a "COPY" of the rendered display (ie snap shot, image). The applicants disclosure does not teach the saved source code file rendering the images for display. Both files are merely information that was retrieved when archived. The examiner notes, source code used to display an image on a web browser would not be able to tell a browser in 20 years how to display an image or a page.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 27-45, 116 and 118 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims are drawn to the limitation of a file having an image of a browser rendered display generated by the web browser as instructed by the source code file. The applicants disclosure does not support these limitations. The applicants disclosure merely teaches a "COPY" of the source code and a "COPY" of the rendered display(ie snap shot, image). The applicants disclosure does not teach the saved source code file rendering the images for display. Both files are merely information that was retrieved when archived. The examiner notes, source code used to display an image on a web browser would not be able to tell a browser in 20 years how to display an image or a page.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-123 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,282,548 Burner. Hereinafter referred to as Burner.

6. As to claims 1, 13, 65, 77, 113-114

Burner discloses a user requesting(query of desired conten)(C. 2 I. 27-30) copies of information from an electronic address(C. 3 I. 12-15) and the results of the request being presented to the user as a copy of the information(C. 3 I. 15-17). **A database of website information (metadata). (C. 2 I. 48-53 C. 5 I. 45-54). Different types of information that can be retrieved(address, industry company name, stock symbol)** can all fall within the language "bibliographical content".(C. 11 I. 62-65 C. 16 I. 19-21). Burner teaches time stamping data with the date that the information was crawled(C. 5 I. 50-54).

7. Claims 27, 58, 85, 106, 116 and 118 Burner teaches a system and method for obtaining and storing webpage content. (C. 5 I. 41-60). Burner also teaches that one of ordinary skill in the art would know the memory contains several other types of information. As to applicants "copy of.." different types of information this is non-functional descriptive material. The system is retrieving information and storing a copy, the type of information that is being retrieve does not change/alter the process as specific types of information are not required in order to further perform the remaining functions/steps. The information is simply being retrieved in response to a query, regardless of what information is queried the

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retrieval process will remain the same. Furthermore, what the information that is retrieved can be used for is merely intended use and does not patentably distinguish the instant application over the prior art.

8. As to claims 20-25 Burner teaches a system and method for retrieving registration information from domain registries(C. 10 I. 49-68) and time stamping information for when it is retrieved(C. 5 I. 50-54).

\*\*\*the examiner notes applicant fails to define and/or limit what constitutes registration information, content information and owner information in both the claims and the disclosure. Therefore, when given reasonable interpretation a URL alone can constitute both registration information and content.

9. As to claims 46, 100 and 117 Burner teaches identification of ownership of a website and maintaining/updating data as it changes(C. 11 I. 62-65).

10. As to claims 2, 59, 66, 95 and 108 Burner discloses the information being queried in several formats(C. 3 I. 33-35). Examiner notes a user enter a web address into a search query qualifies as a test string.

11. As to claims 3, 26, 67, 92-93 and 110-111 Burner teaches the data warehouse and user interface separate(Fig. 1)

12. As to claims 4 and 68 Burner teaches results not in "real-time"(C. 5 I. 40-43).

13. As to claims 5, 17, 28, 49, 60, 69, 86,-87 and 109 teaches the search results as URL's(C. 7 I. 20-22).

14. As to claims 6 and 70 Burner teaches the URL is in response to the query(C. 3 I. 33-35).

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15. As to claims 7, 61-64 and 71 Burner teaches the information being historical information that was retrieved from previous date pages(C. 5 I. 50-52)

16. As to claims 8-9, 62-63 and 72-73 Burner teaches the results of changes over time(C. 12 I. 9-12)

17. As to claims 11-12, 75-76 and 107 Burner teaches presenting information in response to the query(C. 11 I. 62-65). The examiner notes that the fact that the information being returned is related to trademarks or any other industry or topic is non-functional descriptive material. These differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The steps of the query would be performed regardless of the type of information being requested. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *in re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 44(Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ 2d 1031(Fed. Cir. 1994).

18. As to claims 14, 53, 78 and 104 Burner teaches continuously storing information(C. 16 I. 55-57).

19. As to claims 15 and 80 Burner teaches references related to the requested material(C. 9 I. 4-9)

20. As to claims 16, 29 and 79 Burner teaches content providers selected from webserver(C. 2 I 50-53)

21. As to claims 18-19, 22-25, 32-33, 51, 54-57, 81, 84, 89-91 and 105 Burner teaches categorizing and organizing the data according to various topics that relate to the information(C. 17 I. 4-10)

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22. As to claim 21 Burner teaches the retrieval taking place from several different providers and storing in a separate warehouse(Fig 1 Ref 110 and 111)
23. As to claim 30, 50, 88 and 102 Burner teaches compressing the stored information(C. 16 I. 60)
24. As to claims 34-36 Burner teaches the interface between the different computers operating remotely(Fig. 1 Ref. 130)
25. As to claims 37, 40, 45, 52, 83, 97 and 103 Burner teaches a crawler that retrieves website information in an organized continuous process(C. 5 I. 53-55)
26. As to claims 38, 42-43, 47-48, 96-98 and 101 Burner teaches storing registration information and storing information along with changes made to registration information(C. 10 I. 54-58)
27. As to claim 41 Burner teaches storing prior and current versions of information(c. 14 I. 25-32).
28. As to claims 44 and 99 Burner teaches offline storage(C. 6 I 2-7).
29. As to claims 119-123 Burner teaches time stamping information as it is retrieved(C. 11 I. 60-61).

### ***Response to Arguments***

30. Applicant's arguments filed June 19, 2007 have been fully considered but they are not persuasive.
31. As to applicants arguments that the instant application distinguishes itself by having a file having browser rendered display generated by the source code the examiner notes earlier in the new matter rejections that applicants disclosure does not



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support the limitation claims. The information is retrieved via a web crawl what that information is does not patentably distinguish itself from the prior art. A copy of ALL the information is maintained. The information will be retrieved and maintained regardless of it's content.

32. As to applicants arguments that the instant applicant allows the user to specifically search the information via the "rendered" display or the source code information. However, this aspect argued by applicant is not claim nor is the disclosure limiting to this aspect. The applicants disclosure does not limit/narrow the search possibilities to the displays or source code. The applicant merely teaches allowing a query to be done on the information.

33. As to applicants arguments that the prior art fails to teach each version of ownership, the applicant is directed to c. 11 I. 60-65 and C.12 I. 1-5 where Burner discussed contact information being the current owner of the website, in the same paragraph burner address dates regarding when all the information "categories" were updated.

34. As applicants arguments that the prior art fails to teach "indexing" of the information. The examiner first notes that indexing is inherent when working with a database of any type. The indexing is the order or organization in which the information is stored and associated. Additionally, Burner teaches putting information into appropriate categories, industries, contacts etc (C. 11 I. 54-56).

***Conclusion***

35. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

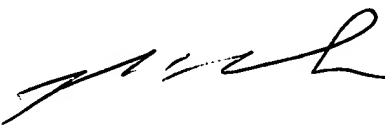
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Casler whose telephone number is 571-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TLC  
  


  
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